

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOHN D. CERQUEIRA,

Plaintiff,

Y.

AMERICAN AIRLINES, INC.,

Defendant.

CIVIL ACTION NO.: 05-11652 WGY

**DEFENDANT AMERICAN AIRLINES, INC.'S DISCLOSURES PURSUANT TO
FED.R.CIV.P. 26(a)(3) AND LR 16.5(C).**

Defendant American Airlines, Inc. (“AA”) provides herein the disclosures required pursuant to Fed.R.Civ.P. 26(a)(3) and LR 16.5(C).

I. WITNESSES

A. Likely To Be Called At Trial

1. Sally Walling
23 Cusack Road, No.9,
Hampton, NH 03842
(603) 918-6037
2. Lois Sargent
100 Washington Street, No. 64
Salem, MA 01970
(305) 742-4957
3. Amy Milenkovic
867 Cleveland Avenue, No. 0-10
St. Paul, Minnesota 55116
(617) 233-3172
4. John Ehlers
81 Farmers Cliff Road
Concord, MA 01742
(978) 369-7973

5. Craig Marquis
4403 Spring Creek Road
Arlington, TX 76017-1268
(817) 798-4664
6. Martin Kelly, M.D.
850 Boylston Street, Suite 303
Chestnut Hill, MA
(617) 731-6750
7. John Beardslee
8 Dunlin Meadow Drive
The Woodlands, TX 77381
(281) 292-3973

B. May Be Called At Trial

1. Donald Ball
17D Manor Drive
Groveland, MA 01833
(978) 270-2200
2. Ynes Flores
127 Ocean Street, Unit 6
Lynn, MA 01902
(617) 634-5128
3. Nicole Traer
101 Old Stone Way, Unit 103
Weymouth, MA 02189
(617) 634-5378
4. Rhonda Cobbs
5211 Bellefontaine Drive
Arlington, TX 76017
(817) 563-5544
5. John Cerqueira
20533 Biscayne Blvd
Apartment 355
Adventura, FL 33180
(305) 792-0365
6. Trooper Daniel E. Sullivan
Headquarters, Troop "B"

Massachusetts State Police
Logan International Airport
East Boston, MA 02128
(617) 561-1700

7. Trooper Fredrick F. Yee
Headquarters, Troop "B"
Massachusetts State Police
Logan International Airport
East Boston, MA 02128
(617) 561-1700
8. Trooper Joseph J. Boike
Headquarters, Troop "B"
Massachusetts State Police
Logan International Airport
East Boston, MA 02128
(617) 561-1700
9. Trooper Donald J. Ventura
Headquarters, Troop "B"
Massachusetts State Police
Logan International Airport
East Boston, MA 02128
(617) 561-1700
10. Trooper David Crowther
Headquarters, Troop "B"
Massachusetts State Police
Logan International Airport
East Boston, MA 02128
(617) 561-1700
11. Oren Ashmil
3801 Oceancrest E Ocean Drive
Hollywood, FL 33020
12. Daniel Vittorio a/k/a Vittorio Rokah
302 Buren Street
Hollywood, FL 33020

II. DEPOSITION TESTIMONY

Barring the unforeseen unavailability of the witnesses identified above, AA does not anticipate that it will introduce any testimony by way of deposition except for impeachment and

rebuttal purposes. AA reserves the right to counter-designate testimony should plaintiff choose to designate testimony by deposition. AA expects that counter-designation shall be necessary for plaintiff's physicians, Richard Faulk and Barry Blumenthal.

III. PROPOSED EXHIBITS

- A. Incident Report prepared by Sally Walling on December 28, 2003;
- B. Incident Report prepared by Lois Sargent on December 28, 2003;
- C. Incident Report prepared by Amy Milenkovic on December 28, 2003;
- D. Incident Report prepared by John Ehlers on December 28, 2003;
- E. Passenger Name Record, John Cerqueira, December 28, 2003;
- F. AMR Call Center Report, Flight 2237, December 28, 2003;
- G. Detail Notes Concerning Event ID 03122856; and
- H. E-mail from Shirley Womack to John Cerqueira concerning potential travel on American Airlines subsequent to December 28, 2003.

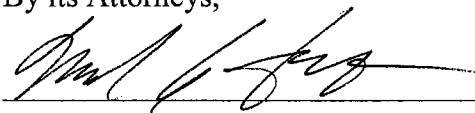
AA reserves the right to supplement this disclosure with documents that are being reviewed by the Transportation Security Administration to determine if they are Sensitive Security Information. Should the TSA authorize AA to produce those documents to plaintiff, AA anticipates that it will supplement its trial exhibits to include those documents.¹

¹ Absent authorization from the TSA, AA cannot disclose information that may constitute SSI. AA has submitted certain training materials and manuals to the TSA for its determination as to whether the information contained therein constitutes SSI. To date, AA has not received a response to its request for a determination as to whether those materials are SSI.

Respectfully submitted,

AMERICAN AIRLINES, INC.

By its Attorneys,



Michael A. Fitzhugh, (BBO 169700)

Amy Cashore Mariani, (BBO #630160)

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155 Federal Street, Suite 1700

Boston, MA 02110-1727

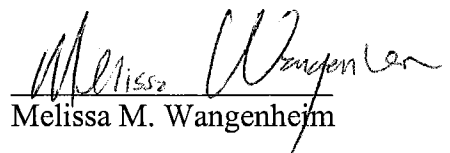
(617) 695-2330

CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the forgoing to be served upon opposing counsel of record set forth below, by electronic mail and first class mail postage prepaid, this 3rd day of November, 2006.

David S. Godkin, Esq.
Erica Abate Recht, Esq.
Birnbaum & Godkin, LLP
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Boston, MA 02110

Michael T. Kirkpatrick, Esq.
Public Citizen Litigation Group
1600 20th Street NW
Washington, DC 20009


Melissa M. Wangenheim

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on November 3, 2006.

/s/ Amy Cashore Mariani
Amy Cashore Mariani